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Co-Lead Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

16 In re ACCURAY INC. SECURITIES) Master File No. 4:09-cv-03362-CW
17 LITIGATION)
18) CLASS ACTION
19 This Document Relates To:) STIPULATION AND ORDER CHANGING
20 ALL ACTIONS.) TIME FOR FILING LEAD PLAINTIFFS'
) CONSOLIDATED COMPLAINT AND
) SETTING BRIEFING SCHEDULE ON
) MOTION TO DISMISS

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1 WHEREAS, on October 30, 2009, the parties filed a stipulation (Dkt. No. 51) setting forth
2 proposed dates for the filing of plaintiffs' consolidated complaint and the briefing schedule on
3 motion to dismiss, as follows:

4 • Lead plaintiff shall file a consolidated complaint no later than December 10, 2009;
5 • Defendants shall file their motion to dismiss no later than February 1, 2010;
6 • Lead plaintiff shall file its opposition to the motion to dismiss no later than March
19, 2010; and
7 • Defendants shall file their reply no later than April 9, 2010.

8 WHEREAS, on November 2, 2009, this Court issued an order approving the above briefing
9 schedule and modifying the stipulation with regard to the case management conference, which was
10 continued to April 29, 2010 (Dkt. No. 52).

11 WHEREAS, due to a scheduling conflict, plaintiffs have requested and defendants have
12 agreed, subject to the approval of the Court, to change the time for plaintiffs to file their consolidated
13 complaint and adjust the briefing schedule on the motion to dismiss, as follows:

14 • Lead plaintiff shall file a consolidated complaint no later than December 17, 2009;
15 • Defendants shall file their motion to dismiss no later than February 8, 2010;
16 • Lead plaintiff shall file its opposition to the motion to dismiss no later than March
25, 2010; and
17 • Defendants shall file their reply no later than April 15, 2010.

18 WHEREAS, the proposed schedule will not cause undue delay and will not change the April
19 29, 2010 case management conference date already established by the Court.

20 NOW THEREFORE, it is stipulated and agreed:

21 1. Lead plaintiff shall file a consolidated complaint no later than December 17, 2009;
22 2. Defendants shall file their motion to dismiss no later than February 8, 2010;

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1 3. Lead plaintiff shall file its opposition to the motion to dismiss no later than March 25,
2 2010; and

3 4. Defendants shall file their reply no later than April 15, 2010.

4 | DATED: December 8, 2009

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/s/

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DATED: December 8, 2009

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/s/
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1 I, Shawn A. Williams, am the ECF User whose ID and password are being used to file this
2 Stipulation and [Proposed] Order Changing Time For Filing Lead Plaintiffs' Consolidated
3 Complaint and Setting Briefing Schedule On Motion to Dismiss. In compliance with General Order
4 No. 45, X.B., I hereby attest that Diane M. Walters has concurred in this filing.

5 /s/

6 SHAWN A. WILLIAMS

7 * * *

8 **O R D E R**

9 PURSUANT TO STIPULATION, IT IS SO ORDERED.

10 DATED: 12/10/09

11 THE HONORABLE CLAUDIA WILKEN
12 UNITED STATES DISTRICT JUDGE



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